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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRAN, ELLEN C	
			ART UNIT	PAPER NUMBER
			2134	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/760,456	OHARA ET AL.	
	Examiner	Art Unit	
	Ellen C. Tran	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☒ Some * c) ☐ None of:
 - 1. ☒ Certified copies of the priority documents have been received.
 - 2. ☒ Certified copies of the priority documents have been received in Application No. 10/760,456.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Ellen Tran
ELLEN TRAN
PATENT EXAMINER
ART 2134

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date Aug. & Nov. 2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to: communication filed on 6 November 2007 with acknowledgement of an original application filed on 21 January 2004, with the benefit of foreign application JP P2003-012765 filed 21 January 2003, and foreign application JP P2003-0383060 filed 12 November 2003.
2. Claims 1-15 are pending; claims 1, 4, 10, 11, 12, and 13, are independent claims.
3. The IDS submitted 16 August 2007 and 30 November 2007 has been considered.

Response to Arguments

4. Applicant's arguments with respect to 1-15 have been considered but they are not persuasive or moot where noted due to new grounds of rejection.
 - I) In response to applicant's argument on page 12, "*Applicants respectfully traverse the rejection of Claims 10-15 under 35 USC § 112 second paragraph. Applicants note that the Office Action asserts the phrasing of those claims appear to be a poor translation because they are repetitive and indefinite. However, it is respectfully noted that MPEP § 2173.02 states that "[t]he examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 USC § 112, second paragraph, is whether the claim meets the threshold requirement of clarity and precision, not whether more suitable language or modes of expression are available*".

The Examiner disagrees with argument as noted below as well as: Applicant Interview on 19 November 2007, and the previous Office Action. The claims are indefinite, the wording of the claims is worded with multiple indefinite phrasing such as "in which" , "at least one selected from" , "if". All these indefinite phrases make the claims unclear.

II) In response to applicant's argument beginning on page 13, *"Regarding the rejection of Claim 1 under 35 USC § 102 (e), the '944 patent is directed to a system and method for identifying application loaded in a smart card ... However, it is respectfully submitted that the '944 patent fails to disclose a storage medium having a data area configured to write content data thereto and an identifier thereto, the identifier being unchangeable; and a storage medium support frame configured to hold the storage medium and provided with visible information that is unchangeable and corresponds to the identifier"*.

The Examiner agrees with argument the below rejection has been amended to account for the modified claim.

III) In response to applicant's argument beginning on page 14, *"Claim 4 is directed to a writing apparatus comprising: (1) a storage unit configured to store an identifier, a software file name, title of the software, and a visible information file that are related to one another ...However, it is respectfully submitted that the '944 patent fails to disclose an identifier-corresponding-software searcher configured to determine if software corresponding to the identifier read by the identifier reader is stored in the storage units"*.

The Examiner disagrees with applicant, the process of verifies and authenticating if the application is loaded on the smartcard is equivalent to searcher configured to determine if software corresponding to the identifier read by the identifier reader is stored in the storage units.

IV) In response to applicant's argument beginning on page 16, *"Amended Claim 12 is directed to a writing method comprising (1) wringing a second identifier in a data area, the second identifier being obtained by at least one operation in which a first identifier being*

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unchangeable and written in an identifier area is encrypted ... However, it is respectfully submitted that the '706 patent fails to disclose writing a second identifier in a data area".

The Examiner disagrees with argument, and notes that the '706 patent discloses writing a second identifier (i.e. watermark) and that the purpose of embedding watermarks is so that they can not be changed. Therefore since '706 embeds multiple watermarks the limitations of claim 12 are taught in the '706 patent.

V) In response to applicant's argument beginning on page 18, *"Further, it is respectfully submitted that the '706 fails to disclose the replay program recited in Claim 12. Rather, the '706 patent discloses that whenever a client 'computer attempts to access a file containing a protected object, and enforcer examines the object using its secret watermark key"*.

The Examiner disagrees with argument and as best understood by the limitation of the claims the replay program is configured to make a computer execute instructions from at least of the selected operations, i.e. decrypting and confirming.

VI) In response to applicants argument beginning on page 19, with respect to claim 10, 11, and 13-15. As stated above the Examiner disagree with arguments the limitation are taught in '706 or the '706 and '944 combination.

Claim Objections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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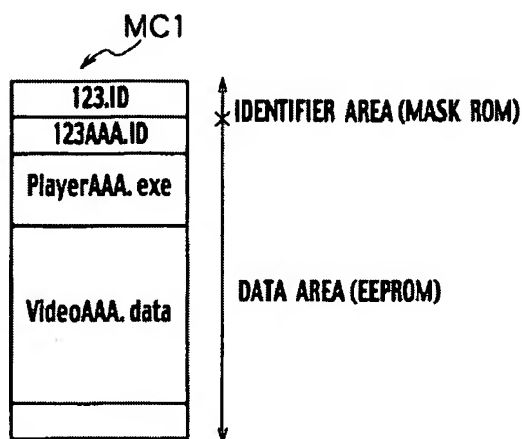
6. Claims 1-3, 5, 6, 9-15, are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 1, 5, 10-14, have been amended to include the terms “identifier being unchangeable”. In addition Claim 1 and 5 contains the limitation “with visible information that is unchangeable and corresponds to the identifier”. The original disclosure does not contain these limitations or an explanation what is process, steps, or means are performed to make the identifier unchangeable. In addition the term unchangeable is not present in the original disclosure. In the remarks on page 12, the applicant stated *“The amended claims are supported by the originally filed specification at least at page 8, lines 13-17; page 18, lines 10-21; page 19, lines 7-11; and Figure 11A”*. The paragraphs and figure the applicant cited are pasted below convenience, note these paragraphs do not describe or define an “identifier being unchangeable” or “ visible information that is unchangeable and corresponds to the identifier”.

FIGS. 4A and 4B show relationships between identifiers stored in storage device modules and pictorial patterns printed on the surfaces of support frames, in which FIG. 4A shows that an identifier "ABC" corresponds to a pictorial pattern "Star" and FIG. 4B shows that an identifier "DEF" corresponds to a pictorial pattern "Moon";

In this way, any one of the embodiments 1 and 2 is capable of using first visible information (such as a pictorial pattern) that may be printed on a first storage device (such as a card-type storage device) and second visible information (such as a pictorial pattern) that may be printed on a second storage device (such as a card-type storage device), to determine whether or not a first identifier stored in the first storage device is identical to a second identifier stored in the second storage device.

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In FIGS. 11A to 11E, a memory card includes an identifier (card ID) area and a data area. The identifier area is made of, for example, a mask ROM, and the data area is made of, for example, a NAND-type flash EEPROM. The identifier area stores a card ID of, for example, 128 bits specific to the memory card. The data area stores, for example, the following files:

FIG. 11A

The closest the applicant's specification/disclosure that provides a description of an unchangeable identifier is in on page 6, line 21 through page 7, line 7 which is also pasted below for convenience.

According to an another aspect of the present invention, a writing method includes writing a second identifier in a data area, the second identifier being obtained by at least one operation in which a first identifier written in an identifier area is encrypted, a first electronic watermark is embedded in the first identifier, and the first electronic watermark in the first identifier is embedded and is encrypted, writing content data to the data area, the content data having at least one characteristic in which the content data is encrypted, the content data is a second electronic watermark embedded therein, and the content data is the second electronic watermark embedded therein and is encrypted,

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Note the Examiner interprets a watermark the closest description in the applicant's disclosure to an "unchangeable identifier". Note that the watermark disclosed is an 'electronic watermark' therefore it is not a visible unchangeable identifier.

In addition from the remarks on pages 13-14 with respect to claims 1 and 5, the applicant is placing "a visible unchangeable identifier" into the claims. The Examiner objects to this as new matter that was not in the original disclosure. In addition in claims 10-14 the applicant has indicated in the remarks that the first identifier watermark is unchangeable. This exact limitation is not present in the disclosure as well. The only limitation concerning the watermarks is a comparison that the first and second watermarks to ensure they match. If the watermark is unchangeable, why would the instructions to compare the identifiers be needed? The Examiner objects to this limitation because it is not present in the original disclosure.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 10-15 are objected to under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The words if, when, as well as the alternative wording makes the claims indefinite. The indefinite wording in claim 12, is underlined and bold below.

A writing method comprising:

writing a second identifier in a data area,
the second identifier being obtained by **at least one operation**
in which a first identifier being unchangeable and written in an identifier area is encrypted,

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a first electronic watermark is embedded in the first identifier, and
the first electronic watermark in the first identifier is embedded and is encrypted;

writing content data to the data area, the content data having **at least one characteristic**

in which the content data is encrypted,
the content data is a second electronic watermark embedded therein, and
the content data is the second electronic watermark embedded therein and is encrypted;

and writing a replay program to the data area, the replay program being configured to make a computer execute instructions comprising:

instructions configured to read the first identifier from the identifier area;
instructions configured to read the second identifier from the data area; instructions configured to conduct an operation selected **from the group consisting of**
decrypting the second identifier,
confirming **if** the second identifier is the first electronic watermark embedded therein,
and decrypting the second identifier and confirming **if** the second identifier is the first electronic watermark embedded therein;

instructions configured to compare the first identifier and the second identifier with each other **when a case selected from the group consisting of**

the second identifier being decrypted,
the second identifier being confirmed as being the first electronic watermark embedded therein, and
the second identifier being decrypted and being confirmed as being the first electronic watermark embedded therein is satisfied;

instructions configured to read the content data from the data area; instructions configured to conduct an operation selected from

decrypting the content data,
confirming **if** the content data is the second electronic watermark embedded therein, and
decrypting the content data and confirming if the content data is the second watermark embedded therein,

when at least a predetermined part of the first and second identifiers are identical to each other;

and instructions configured to replay the content data **when a case selected from the group consisting of** the content data being decrypted, the content data being confirmed as being the second electronic watermark embedded therein, and the content data being decrypted and being confirmed as being the second electronic watermark embedded therein is satisfied.

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Applicant must at least amend the phrases “in which” , “if” “when a case selected” , “when at least a predetermined part of the first and second identifier are identical to each other” and “when a case selected from the group consisting of” to more precisely indicate what instructions are being executed and when. As currently recited, the limitations do not have any logical order and are indefinite as to what condition is met when an instruction is configured. Such would render the present invention useless.

Independent claims 10, 11, and 13, contain similar errors as claim 12 and are objected to as well.

Applicant must amend the limitations to particularly point out and distinctly claim the subject matter which the Applicant regards as his invention.

9. Claims 1-3, 5, 6, 9-15, are objected to under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 5, 10-14, have been amended to include the terms “identifier being unchangeable”. In addition Claim 1 and 5 contains the limitation “with visible information that is unchangeable and corresponds to the identifier”. The original disclosure does not contain these limitations or an explanation what is process, steps, or means are performed to make the identifier unchangeable. In addition the term unchangeable is not present in the original disclosure. Please review paragraph 6 above for more details.

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10. To expedite a complete examination of the instant application the claims objected under 35 U.S.C. 112 above are further rejected as set forth below in anticipation of applicant amending these claims to correct the indefinite phrasing noted above.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. **Claims 4, 7, and 8**, are rejected under 35 U.S.C. 102(e) as being anticipated by Dell U.S. Patent No. 6,745,944 (hereinafter '944).

As to independent claim 4, “A writing apparatus comprising: a storage unit configured to store an identifier, a software file name, a title of the software, and a visible information file that are related to one another; a display controller configured to read the visible information file and the title from the storage unit and output a display signal to display visible information and the title” is taught in '944 col. 2, lines 18-25, note logos of the loaded application is interpreted to be equivalent to a title;

“a display configured to receive the display signal from the display controller and display the visible information and the title; a slot configured to receive a storage device therein; an identifier reader configured to read an identifier stored in the storage device inserted in the slot” is shown in ‘944 col. 2, lines 36-44, note card reader or automated teller are known in the art to have a ‘slot’ for receiving the smartcard;

“an identifier-corresponding-software searcher configured to determine if software corresponding to the identifier read by the identifier reader is stored in the storage unit” is disclosed in ‘944 col. 2, line 57 through col. 3, line 9, note the loader application verifies and authenticates if the identified software is on the smartcard;

“and a writer configured to write the software corresponding to the identifier to the storage device, when the software corresponding to the identifier is present” is taught in ‘944 col. 4, lines 24-56, note the interface executes the selected loaded application, part of executing entails writing as interpreted by the Examiner access file, updating memory in smartcard.

As to dependent claim 7, **“wherein: the writer conducts the writing when the visible information on the storage medium agrees with the visible information displayed on the display, the visible information on the display being selected from the group consisting of a character, symbol, pattern, color, and combination of a character, symbol, pattern, and color”** is taught in ‘944 col. 2, line 52 through col. 3, line 9.

As to dependent claim 8, **“further comprising: a correspondence table rewriter configured to rewrite a correspondence table showing correspondence among the**

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identifier, file name, title, and visible information file” is shown in ‘944 col. 2, line 52 through col. 3, line 9.

13. **Claims 10-13**, are rejected under 35 U.S.C. 102(e) as being anticipated by Venkatesan et al. U.S. Patent No. 6,898,706 (hereinafter ‘706).

As to independent claim 12, **“A writing method comprising: writing a second identifier in a data area, the second identifier being obtained by at least one operation in which a first identifier being unchangeable and written in an identifier area is encrypted, a first electronic watermark is embedded in the first identifier, and the first electronic watermark in the first identifier is embedded and is encrypted”** is taught in ‘706 col. 5, lines 21-40, as note multiple watermarks are interpreted to be equivalent to a second watermark, the enforcer watermark specifies the location of the watermark, note the watermark is considered to be unchangeable;

“writing content data to the data area, the content data having at least one characteristic in which the content data is encrypted, the content data is a second electronic watermark embedded therein, and the content data is the second electronic watermark embedded therein and is encrypted; and writing a replay program to the data area, the replay program being configured to make a computer execute instructions comprising instructions configured to read the first identifier from the identifier area; instructions configured to read the second identifier from the data area; instructions configured to conduct an operation selected from the group consisting of decrypting the second identifier, confirming if the second identifier is the first electronic watermark embedded therein, and

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decrypting the second identifier and confirming if the second identifier is the first electronic watermark embedded therein; instructions configured to compare the first identifier and the second identifier with each other when a case selected from the group consisting of the second identifier being decrypted, the second identifier being confirmed as being the first electronic watermark embedded therein, and the second identifier being decrypted and being confirmed as being the first electronic watermark embedded therein is satisfied; instructions configured to read the content data from the data area; instructions configured to conduct an operation selected from decrypting the content data, confirming if the content data is the second electronic watermark embedded therein, and decrypting the content data and confirming if the content data is the second watermark embedded therein, when at least a predetermined part of the first and second identifiers are identical to each other; and instructions configured to replay the content data when a case selected from the group consisting of the content data being decrypted, the content data being confirmed as being the second electronic watermark embedded therein, and the content data being decrypted and being confirmed as being the second electronic watermark embedded therein is satisfied” is shown in ‘706 col. 5, lines 37-59, note the watermark becomes glue between the protected content and its license, if a value of a parameter in the license matches the same parameter in the license the enforcer permits access in accordance with license rights. Note the parameter value matching is interpreted to be equivalent to the ‘predetermined part of the first and second identifiers are identical’.

As to **independent claim 10**, this claim is directed to program executing the instructions of the method of claim 12; therefore it is rejected along similar rationale.

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As to independent claim 11, this claim is directed to a computer readable storage medium executing the instructions of the method of claim 12; therefore it is rejected along similar rationale.

As to independent claim 13, this claim is directed to a writing apparatus executing the instructions of the method of claim 12; therefore it is rejected along similar rationale.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claims 14 and 15**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatesan et al. U.S. Patent No. 6,898,706 (hereinafter '706) in view of Dell U.S. Patent No. 6,745,944 (hereinafter '944).

As to dependent claim 14, the following is not explicitly taught in '706: **“and a storage medium support frame configured to hold the storage medium and provided with visible information that corresponds to a part of the identifiers, the visible information being visible from the outside and selected from the group consisting of a character, symbol, pattern, color, and combination of a character, symbol, pattern, and color”** however '944

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teaches displaying visible information about the content in a secure storage medium in col. 1, lines 54-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention a contents management system taught in '706 to include to show a user what programs application are available on a secure storage medium. One of ordinary skill in the art would have been motivated to perform such a modification to provide a convenient system of what applications are loaded see '944 (col. 1, lines 33 et seq.) "However, the applicant of the present invention recognized that one of the problems in a wide-spread adoption of a multi-application smart card by the industry is that there is no easy way for a user to find out what applications reside in the card. The problem is compounded if the user holds two or more multi-application cards. One solution is to permanently print the symbols or logos of the applications on the card at the time of issuance. As can be appreciated, however, this solution is inadequate. Even though different applications may be loaded and removed from the card from time to time, the permanent printing of the logos cannot be changed to accurately reflect the currently loaded applications. Another solution is to use an external reader device that slips over the card to view the card's content. Such a device, however, is too bulky to carry around with the card".

As to dependent claim 15, "wherein: the storage unit is configured to store a given part of the first identifier, visible information, the content data, the replay program, and a title of the content data that are related to one another; the writing apparatus further comprises: a display controller configured to read the visible information and title from the storage unit and output a display signal to display the visible information and title"

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however '944 teaches that the interface apparatus is able to display the icons and titles of application available in col. 2, lines 18-25;

“and a display configured to receive the display signal from the display controller and display the visible information and title; and the writer writes the content data and replay program corresponding to the given part of the first identifier to the data area of the storage device” however '944 teaches that a loader program verifies and authenticates the external system has the appropriate authority in col. 2, line 54 through col. 3, line 9. The motivation to combine '706 and '944 is the same as stated above in claim 14.

16. **Claims 1-3, 5, 6, and 9**, are rejected under 35 U.S.C. 103(a) as being unpatentable over of Dell U.S. Patent No. 6,745,944 (hereinafter '944) in view of Venkatesan et al. U.S. Patent No. 6,898,706 (hereinafter '706).

As to independent claim 1, A storage device comprising: a storage medium having a data area configured to write content data thereto” “and an identifier area configured to write an identifier thereto” is taught in '944 col. 1, lines 54-62, note the storage medium is the smart card, the identifier area is the display area that shows which applications are loaded;

“and a storage medium support frame configured to hold the storage medium” and “the visible information being visible from the outside and selected from the group consisting of a character, symbol, pattern, color, and combination of a character, symbol, pattern, and color” is shown in '944 col. 2, lines 18-25, note the 'support frame' is the interface for the smartcard which incorporates a display for displaying symbols or logos of loaded applications;

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the following is note explicitly taught in '944: **“the identifier being unchangeable”** however '706 teaches that a watermark is embedded in software objects in col. 5, lines 22-30;

“and provided with visible information that is unchangeable and corresponds to the identifier” however '706 teaches that a location information is provided where the watermark is embedded.

It would have been obvious to one of ordinary skill in the art at the time of the invention of a system and method for identifying applications loaded in a smart card taught in '944 to include a means to make the identification of the application unchangeable. One of ordinary skill in the art would have been motivated to perform such a modification to provide an identifier that would be difficult to remove (i.e. a watermark) see '706 (col. 3, lines 66 et seq.) “Therefore, faced with these deficiencies, the art, in the context of digital rights management, appears to be considering the use of watermarking. In essence, a watermark is an identifier that, in the context of a software object, would be tightly integrated into that object but would not be discernible to a third party. Furthermore, that party will likely experience considerably more difficulty in removing a correctly implemented watermark from a software object than removing a digital signature”.

As to dependent claim 2, **“wherein: the storage medium support frame has a substantially rectangular shape and a short side of at least 31.8 mm”** is taught in '933 col. 1, lines 12-15, note a credit card is a rectangular shape with a short side of at least 31.8mm.

As to dependent claim 3, **“wherein: the identifier is readable by a writing apparatus; and the writing apparatus displays, on a display thereof, information selected from the**

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group consisting of a character, symbol, pattern, color, and combination of a character, symbol, pattern, and color, and when the visible information agrees with the displayed information, conducts writing” is shown in ‘944 col. 2, lines 18-25, note the interface is also a writing apparatus.

As to dependent claim 5, **“wherein the storage device comprises: a storage medium having a data area configured to write content data thereto and an identifier area configured to write the identifier thereto” “and a storage medium support frame configured to hold the storage medium” and “the visible information being visible from the outside and selected from the group consisting of a character, symbol, pattern, color, and combination of a character, symbol, pattern, and color”** is shown in ‘944 col. 2, lines 17-36; the following is note explicitly taught in ‘944: **“the identifier being unchangeable”** however ‘706 teaches that a watermark is embedded in software objects in col. 5, lines 22-30;

“and provided with visible information that corresponds to the identifier” however ‘706 teaches that a location information is provided where the watermark is embedded.

As to dependent claim 6, **“wherein: the storage medium support frame has a substantially rectangular shape and a short side of at least 31.8 mm”** is disclosed in ‘944 col. 1, lines 12-15, note a credit card is a rectangular shape with a short side of at least 31.8mm.

As to dependent claim 9, **“further comprising: a communication unit configured to receive data required to rewrite the correspondence table from outside of the writing apparatus”** is disclosed in ‘944 col. 3, lines 27-46.

Conclusion

17. It is noted, PATENTS ARE RELEVANT AS PRIOR ART FOR ALL THEY CONTAIN “The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned. They are part of the literature of the art, relevant for all they contain.” In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments (see MPEP 2123).

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 7:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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